



U.S. Department of Justice

United States Attorney Northern District of Illinois

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May 6, 2019

Lawrence Hyman
111 W. Washington St, Suite 1025
Chicago, IL 60602

Gal Pissetsky
Pissetzky & Berliner LLC
53 W. Jackson Blvd., Suite 1515
Chicago, IL 60604

Re: *United States v. Ernesto Godinez*, 18 CR 278

Dear Mr. Hyman and Mr. Pissetsky:

The government hereby notifies you, in accordance with Federal Rule of Criminal Procedure 16(a)(1)(G), that the government may call the following individuals to provide testimony pursuant to Federal Rules of Evidence 702, 703 or 705.

The government requests that the defendant provide within 14 days, pursuant to Rule 16(b)(1)(C)(i) of the Federal Rules of Criminal Procedure, notification of any testimony that the defendants intend to use under Rules 702, 703, or 705 of the Federal Rules of Evidence at trial.

1. Paul Greene
Senior Forensic Engineer
ShotSpotter

The government expects to call Paul Greene to testify about the Shotspotter gunshot detection and location system in Chicago in May 2018. The government further expects Mr. Greene to testify regarding Shotspotter data and audio recordings collected from recorded in the area of the 4300 block of S. Hermitage Ave., Chicago, IL on May 4, 2018 at approximately 3:18 a.m. More specifically, the government expects Mr. Greene to testify about seven apparent gun shots detected between 3:18:10 a.m. and 3:18:15 a.m. by Shotspotter sensor(s), as well as the approximate geo location (*i.e.* latitude and longitude) at which the Shotspotter sensor(s) detected each apparent gun shot. Mr. Greene is also expected to testify about a map(s) he

prepared in which he plotted the approximate geo location of each apparent gun shot. His analysis and findings are more fully set forth in his Detailed Forensic Report dated April 10, 2019, which has been disclosed in discovery at SPOTTER_001-000001-000021. Mr. Greene's curriculum vitae is disclosed in attached discovery at EXPERT_001-000372-375.

2. Steve Greene
Technical Surveillance Specialist
Bureau of Alcohol, Tobacco, Firearms and Explosives

The government expects to call Steve Greene as a forensic video expert. The government expects Mr. Greene to testify that he examined, processed, and synchronized the video recordings recovered from Police Observation Devices (PODs), law enforcement pole cameras, and private surveillance cameras positioned near the scene of the assault of Special Agent Crump. The government further expects Mr. Greene to testify regarding the manner in which he processed the video recordings to improve the clarity, color and contrast, as well as the manner in which he synchronized the video recordings, including the point(s) of reference he used to conduct the synchronization. The government further expects that Mr. Greene may testify to the resolution and frame per second frequencies of the video recordings. Mr. Greene's curriculum vitae is disclosed in attached discovery at EXPERT_001-000376-378. Still images captured by Mr. Greene from certain video recordings and certain video compilations created by Mr. Greene are disclosed in attached discovery at EXPERT_002-000001-4. Additional video by Mr. Greene, including compilations of multiple video recordings playing on one screen simultaneously and in sync – will be produced by or about May 20, 2019.

3. Arnold Esposito
Firearms and Toolmark Examiner
Bureau of Alcohol, Tobacco, Firearms and Explosives

The government expects to call Arnold Esposito to testify about ballistics evidence recovered in the area of the 4300 and 4400 blocks of S. Hermitage Ave. following the assault of Special Agent Crump. The government expects Mr. Esposito to testify that he examined two .38 caliber bullets recovered on the parkway grass near 4416 S. Hermitage Ave., and in a tree near 4348 S. Hermitage Ave, and determined the bullets were fired from the same firearm and could have been fired from the firearms listed in his report tendered at LABS_006-000001-2. The government further expects Mr. Esposito to testify he examined five fired 9mm caliber cartridge cases recovered in the gangway near 4432 S. Hermitage Ave., and determined the cartridge cases were fired from the same firearm. Mr. Esposito's curriculum vitae and further details regarding Mr. Esposito's methodology, conclusions, and techniques are disclosed in attached discovery at EXPERT_001-000316-359.

4. Todd Bille
DNA Technical Leader
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

Subject to a potential stipulation, the government expects to call Todd Bille to testify regarding a DNA analysis conducted on a swab from an Evian water bottle and a black "White Sox" baseball cap recovered from a black Ford Focus bearing license plate number Q281469 on May 4, 2018. Mr. Bille is expected to testify that DNA from the swabs matched the human male DNA profile of Ernesto Godinez. Subject to a potential stipulation, the government further expects Mr. Bille to testify regarding a DNA analysis conducted on a swab from a projectile recovered from the scene of the assault of ATF Special Agent Kevin Crump. Mr. Bille's curriculum vitae and further detail regarding Mr. Bille's methodology, conclusions, and techniques are disclosed in the attached discovery at EXPERT_001-000001-315, 000360-371.

5. Christopher Chmelar
Task Force Officer
Drug Enforcement Administration

The government expects to call Christopher Chmelar as an expert in the field of Chicago street gangs and how said gangs operate. Officer Chmelar is a police officer with the Chicago Police Department and has been a task force officer with a federal drug trafficking strike force since October 2014. Prior to joining the strike force, Officer Chmelar was a member of the Bureau of Organized Crime from March 2009 through October 2014. Officer Chmelar began his law enforcement career as patrol officer in the Chicago Police, 9th District in September 2004, and he served in that position for two years. He continued to serve the 9th District and joined the Area One tactical team in 2006, where he served until March 2009 when he joined the Bureau of Organized Crime as noted above. The government expects Officer Chmelar to testify about the Latin Saints street gang and how they operate, including the area in Chicago the gang controls, the methods by which the Latin Saints keep watch and protect their territory, symbols and colors used by the Latin Saints, and rules by which members of the Latin Saints are expected to abide. Officer Chmelar may also testify how and when the Latin Saints were formed, and the hierarchy and structure of the Latin Saints.

Sincerely,

JOHN R. LAUSCH, JR.
United States Attorney

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